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April 18, 1995

VIA FACSIMILE

John Lyons  
 Assistant Regional Counsel  
 Office of the Regional Counsel, RC 3-2  
 U.S. ENVIRONMENTAL PROTECTION AGENCY  
 Region IX  
 75 Hawthorne Street  
 San Francisco, CA 94105

Re: Request for Information to The Dow Chemical Company  
 concerning the Montrose Chemical Superfund Site  
 Los Angeles, California

Dear Mr. Lyons:

I am writing on behalf of The Dow Chemical Company ("Dow") in response to Region IX's request for information of April 17, 1995 made pursuant to Section 104(e) of CERCLA and concerning the Montrose Chemical Superfund Site, Los Angeles, California. I am making this response as principal outside counsel in the several litigation matters, involving in separate actions both CERCLA and common law claims, relating to the adjacent Del Amo site.

Item 1: Dow has no information responsive to this request.

Item 2: Dow has no information responsive to this request.

Item 3: Clarence Sweet was a Dow manager at the styrene plant, former Plancor 929, and subsequently an employee of the Shell Oil Company at the same plant. Mr. Sweet recalls a large excavation on the Montrose Site that produced a mound of dirt. He also recalls someone transporting the dirt with backhoes or similar equipment from Montrose into the neighborhood along 204th Street and using it for lot leveling purposes. Mr. Sweet believes that Royce Donkle, a former Shell manager, would also confirm this.

Mr. Sweet's address is 55 West Fiesta Green, Port Hueneme, CA 93041. Mr. Donkle's address is 3809 Walnut, Long Beach, CA 90807. We request to be advised in advance of any contact with Mr. Sweet and the opportunity to be present.

John Lyons, Assistant Regional Counsel, U.S. EPA  
April 18, 1995  
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Item 4: See the response to item 3.

In making this response, Dow does not waive any attorney-work-product privilege that it may have under the law with respect to the result of any investigations conducted by counsel and relating to matters addressed in the request or more generally to either the Montrose or Del Amo sites.

Very truly yours,

HARDIN, COOK, ~~LOPER~~, ENGEL & BERGEZ

By:

  
Stephen McKae

SM/o

cc: Scott R. Pennock, Esq. (By Fax)

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April 18, 1995

F A X C O V E R S H E E T

TO: John Lyons, Assistant Regional Counsel, Region IX, U.S. EPA

FAX: 415/744-1041 TEL: 415/744-1312

FROM: Steve McKae

TOTAL PAGE COUNT: 3 (including this cover sheet).

CLIMAT: 00201-01270

MESSAGE:

U.S. EPA CERCLA 104(e) REQUEST DATED 4/17/95

FAXING THE DOW CHEMICAL COMPANY'S RESPONSE

IF THIS FAX IS INCOMPLETE OR DIFFICULT TO READ, PLEASE CALL [510] 444-3131, EXTENSION 2354.

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